

10-19-01

H

DOCKET NO.: 19226/2091 (R-5629)
EXPRESS MAIL NO.: EL710758148US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL FORM
(only for new nonprovisional applications under 37 CFR 1.53(b))

COMMISSIONER FOR PATENTS
Washington, D.C. 20231
BOX: PATENT APPLICATION

SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract, 48 pages) of:

Inventor(s): **Paul Kostyniak and Ross Giese**

For : **NOVEL PHARMACEUTICAL FORMULATION TO LIMIT OR DELAY
SURFACE ABSORPTION**

***If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:*

☐ Continuation ☐ Divisional ☐ Continuation-In-Part (CIP)
of prior application Serial No.

Prior application information: Examiner :
Art Unit :

Enclosed are:

- ☒ 11 sheets of informal drawings.
- ☐ **Signed** Combined Declaration and Power of Attorney (____ pages).
- ☐ **Copy of signed** Combined Declaration and Power of Attorney (____ pages) from a prior application (1.63(d) (for continuation/divisional).
- ☐ **Signed** statement deleting inventor(s) named in prior application (____ pages) (1.63(d)(2) and 1.33(b)).
- ☐ **Incorporation By Reference:** The entire disclosure of the prior application, from which a **copy** of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.
- ☐ Assignment (____ pages) of the invention to _____.
- ☐ Assignment Transmittal Letter.
- ☐ Certified copy of a foreign priority document.
- ☐ Associate power of attorney.
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)

- ☐ Preliminary Amendment (____ pages).
- ☐ Information Disclosure Statement, form PTO-1449 (____ pages) and ____ references.
- ☒ **UNSIGNED** Combined Declaration and Power of Attorney (2 pages).
- ☐ Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.
- ☒ A self-addressed, prepaid postcard acknowledging receipt.
- ☐ Other:

The Filing fee has been calculated as shown below:

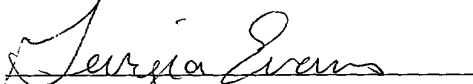
	(Col. 1)	(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXX	XXXXXXXX	XXXX	\$370	OR	XXXX	\$740
TOTAL CLAIMS	56 - 20 =	36	x 9 =	\$324	OR	x 18 =	\$
INDEP CLAIMS	5 - 3 =	2	x 42 =	\$ 84	OR	x 84 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			x 140 =	\$	OR	x 280 =	\$
			TOTAL	\$778	OR	TOTAL	\$

*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2

- ☒ A check in the amount of **\$778.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1138. **A duplicate copy of this sheet is enclosed.**
- ☒ Address all future communications to:

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603

Date: October 18, 2001


Georgia Evans
Registration No. 44,597

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (716) 263-1672
Facsimile: (716) 263-1600

EXPRESS MAIL CERTIFICATE

DOCKET NO. : 19226/2091 (R-5629)

APPLICANT(S) : Paul Kostyniak and Ross Giese

TITLE : NOVEL PHARMACEUTICAL FORMULATION TO LIMIT OR
DELAY SURFACE ABSORPTION

Certificate is attached to the **Utility Patent Application Transmittal Form**
(2 pages) (in duplicate) of the above-named application.

"EXPRESS MAIL" NUMBER: EL710758148US

DATE OF DEPOSIT: October 18, 2001

I hereby certify that this paper or fee is being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the
date indicated above and is addressed to the Commissioner for Patents, Washington, D.C.
20231, **Box Patent Application**.

Sherri A. Moscato

(Typed or printed name of person mailing
paper or fee)

Sherri A. Moscato

(Signature of person mailing paper or fee)